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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,078	06/23/2003	Dirk Trossen	042933/262997	1210
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ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER PATEL, NIRAV B	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 01/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/602,078

Applicant(s)

TROSSEN, DIRK

Examiner

Nirav Patel

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007 (RCE).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's submission for RCE filed on Oct. 25, 2007 has been entered. Claims 1-33 are pending. Claims 1, 10, 19-24 are amended and Claims 25-33 are newly added by applicant.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1, 2, 5, 10, 11, 14, 19, 22-29, 32, 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Geiger et al (US Patent No. 6,377,810).

As per claim 1, Geiger teaches:

receiving, at a first network entity, consent to access event-based information available within a network and associated with an event, and creating an authorization in response to receiving the consent, wherein the first network entity is configured to control access to the event-based information [Fig. 1, col. 4 lines 14-21]; transmitting the authorization from the first network entity to a second network entity [Fig. 1, col. 4 lines 22-25]; transmitting a subscription message from the second network entity to an event server configured to maintain the event, wherein the subscription

message includes the authorization and an event package describing the event-based information [Fig. 1, col. 4 lines 26-33]; and determining at the event server whether to accept the subscription message based upon the authorization [col. 4 lines 46-65].

As per claim 2, the rejection of claim 1 is incorporated and Geiger teaches:

request to access the event-based information associated with the event, wherein the request is transmitted from the second network entity to the first network entity prior to receiving consent to access the event-based information [col. 4 lines 7-15].

As per claim 5, the rejection of claim 1 is incorporated and Geiger teaches:

determining whether to accept the subscription message comprises: verifying the authorization; and accepting the subscription message if the authorization is verified to thereby provide the second network entity with access to the event [Fig. 1, col. 4 lines 41-65, Fig. 2].

As per claim 10, it encompasses limitations that are similar to limitations of claim 1.

Thus, it is rejected with the same rationale applied against claim 1 above.

As per claim 11, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 14, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 19, Geiger teaches:

a processor operable with a mobile station including a user interface and a transmitter, the user interface being configured to receive consent to access event-based information available within a network and associated with an event maintained by an event server, wherein the mobile station is configured to control access to the event-based information [Fig. 1, col. 4 lines 14-21, Fig. 4], wherein the processor is configured to execute a software application to automatically create an authorization of in response to the user interface receiving the consent [col. 4 lines 15-21] and wherein the processor is configured to direct the transmitter of the mobile station to transmit the authorization to a second network entity to enable the second network entity to thereafter subscribe to the event based upon the authorization [col.4 lines 22-66, Fig. 1, 2].

As per claim 22, the rejection of claim 1 is incorporated and Geiger teaches:

receiving consent to access event-based information related to the first network entity [col. 4 lines 8-33].

As per claim 23, the rejection of claim 10 is incorporated and Geiger teaches:

the first network entity is configured to control access to event-based information related to the first network entity [col. 4 lines 8-33].

As per claim 24, the rejection of claim 19 is incorporated and Geiger teaches:

the processor is configured to execute a software application to automatically create an authorization in response to the user interface receiving consent to access event-based information related to mobile station [col. 4 lines 8-33].

As per claim 25, the rejection of claim 1 is incorporated and Geiger teaches:

receiving consent from a user of the first network entity via a user interface thereof [Fig. 1, 4, col. 4 lines 12-17].

As per claim 26, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 25. Thus, it is rejected with the same rationale applied against claim 25 above.

As per claim 27, the rejection of claim 19 is incorporated and it encompasses limitations that are similar to limitations of claim 24. Thus, it is rejected with the same rationale applied against claim 24 above.

As per claim 28, it encompasses limitations that are similar to limitations of claim 19. Thus, it is rejected with the same rationale applied against claim 19 above.

As per claim 29, the rejection of claim 18 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 32, the rejection of claim 28 is incorporated and it encompasses limitations that are similar to limitations of claim 24. Thus, it is rejected with the same rationale applied against claim 24 above.

As per claim 33, the rejection of claim 28 is incorporated and it encompasses limitations that are similar to limitations of claim 25. Thus, it is rejected with the same rationale applied against claim 25 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 12, 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al (US Patent No. 6,377,810) and in view of Ganesh (US Patent No. 6,999,777).

As per claim 3, the rejection of claim 2 is incorporated and Geiger teaches transmitting the request to access the event-based information [col. 4 lines 7-15]. Geiger doesn't expressly mention transmitting a trigger from the second network entity to the first network entity.

Ganesh teaches

transmitting a trigger from the second network entity to the first network entity; and executing the trigger to thereby activate the request to access the event-based information [Fig. 2, 3, col. 4 lines 49-59, col. 5 lines 46-54].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Ganesh with Geiger, since one would have been motivated to prevent unauthorized individual from receiving the location information of wireless communication devices [Ganesh, col. 2 lines 32-34].

As per claim 12, the rejection of claim 11 is incorporated and it encompasses limitations that are similar to limitations of claim 3. Thus, it is rejected with the same rationale applied against claim 3 above.

As per claim 20, the rejection of claim 1 is incorporated and Geiger teaches:

the processor is triggerable based upon the mobile station receiving a request for access the processor being triggerable to execute the software application and receive the consent to access the event-based information [col. 4 lines 8-15].

Ganesh teaches: the processor being triggerable to execute the software application to present a prompt to receive consent to access the event-based information before the user interface receives the consent [Fig. 2, 5].

As per claim 30, the rejection of claim 29 is incorporated and it encompasses limitations that are similar to limitations of claim 3. Thus, it is rejected with the same rationale applied against claim 3 above.

4. Claims 4, 6, 8, 9, 13, 15, 17, 18, 21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al (US Patent No. 6,377,810) and in view of McCann et al (US Pub. No, 2004/0064707).

As per claim 4, the rejection of claim 1 is incorporated and Geiger teaches receiving a consent to access the event-based information associated with the event [col. 4 lines 14-18].

McCann teaches receiving a consent to access the event-based information associated with the event with at least one parameter including at least one of a predefined granularity, frequency or time period, and wherein creating an authorization comprises

creating an authorization including the at least one parameter [paragraph 0037, 0038, 0021 lines 8-16].

As per claim 6, the rejection of claim 5 is incorporated and McCann teaches:

verifying the authorization includes verifying that at least one of a predefined frequency and-or time period has not been exceeded [paragraph 0021 lines 8-16, paragraph 0037, 0038].

As per claim 8, the rejection of claim 5 is incorporated and McCann teaches:

accepting the subscription message comprises accepting the subscription message to thereby provide the second network entity with access to the event-based information with a predefined granularity [paragraph 0021, 0037].

As per claim 9, the rejection of claim 1 is incorporated and McCann teaches:

storing the authorization in a cache such that the event server can retrieve the authorization in response to receiving at least one subsequent subscription message, wherein at least one subsequent subscription message includes an event package describing the event-based information (i.e. without the authorization) [paragraph 0031].

As per claim 13, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 15, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

As per claim 17, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

As per claim 18, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 9. Thus, it is rejected with the same rationale applied against claim 9 above.

As per claim 21, the rejection of claim 19 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 31, the rejection of claim 28 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

5. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al (US Patent No. 6,377,810) and in view of Pujare et al (US Pub. No. 2002/0083183).

As per claim 7, the rejection of claim 5 is incorporated and Geiger teaches verifying the authorization as shown in Fig. 2.

Pujare teaches verifying the authorization includes verifying a shared secret [paragraph 0272, lines 16-18].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Pujare with Geiger, since one would have been motivated to provide location-based service, where users can subscribe to a service to receive location-sensitive content [McCann, paragraph 0001 lines 7-9].

As per claim 16, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

Response to Amendment

6. Applicant has amended claims 1, 10, 19-21, 24 and added new claims 25-33, which necessitated new ground of rejection. See rejection above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sheha et al (US 7271742) – Method and apparatus for sending, retrieving and planning location relevant information

Raverdy et al (US 2002/0069243) -- System and method for effectively providing user information from a user device

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

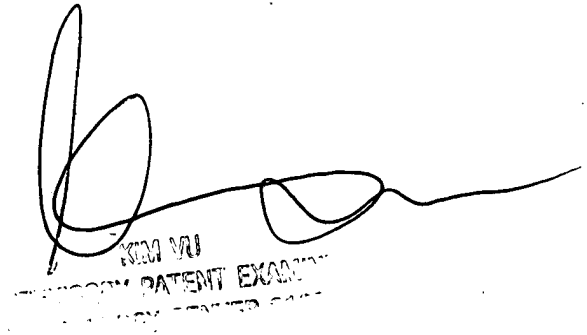
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NBP

1/16/08



A handwritten signature in black ink is written over a rectangular official stamp. The signature is a cursive-style name, possibly 'Kim W'. The stamp contains the following text: 'KIM WU' on the first line, 'TECHNICAL PATENT EXAMINER' on the second line, and 'UNITED STATES PATENT AND TRADEMARK OFFICE' on the third line.